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July 13, 2022

Via ECF

The Honorable Robert W. Lehrburger
500 Pearl Street, Room 1960
United States Courthouse
New York, NY 10007

**USDC SDNY
DOCUMENT
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**Re: Hedgeye Risk Management, LLC v. Dale, 21-cv-3687 (ALC)(RWL):
Request to Seal Documents**

Dear Judge Lehrburger:

We represent Defendants Darius Dale, Steven Lamar, and 42 Macro LLC in the above-referenced matter. We write to request that references to the deposition testimony of Hedgeye's principals in Defendants' letter in response to Hedgeye's recent discovery motion be filed under seal.

We request sealing only in order to comply with our obligation under the Protective Order in this case, because Hedgeye designated these materials "Highly Confidential-Attorneys' Eyes Only." Hedgeye's designations are improper and unjustifiable. Until these designations are removed, however, Defendants will treat these materials confidentially as the Protective Order requires.

Respectfully,

/s/ Jonathan P. Bach

Jonathan P. Bach

The motion to file under seal
is granted.

SO ORDERED:

7/13/2022


HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE